



Technical Report: Proposed Harmonized System for Vehicle Overload Control

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PROPOSED HARMONIZED SYSTEM FOR VEHICLE OVERLOADING CONTROL

1. INTRODUCTION.

This report reviews the existing systems for vehicle overloading control in the Dar es Salaam Corridor and proposes a harmonized approach for implementing the **agreed SADC model**. The systems comprise legislation, weighbridge facilities and management, and methods of enforcement of vehicle loads and dimensions limits.

2. CURRENT SYSTEMS IN THE CORRIDOR.

2.1. MALAWI

Legislation

Vehicle overloading control is enforced in terms of the Road Traffic Act, 1997 through the Road Traffic (Construction, Equipment and Use) Regulations, 2000. This legislation incorporates some of the provisions of the SADC Model Legislative Provisions on Control of Vehicle Loading.

Vehicle Dimension and Load Limits

The vehicle dimension and load limits for Malawi are as specified in section 4.2 below.

Weighing Stations

There are four weighbridge stations at the border stations of Mwanza, Muloza, Mchinji and Songwe. A fifth weighbridge station is inland at Balaka.

Enforcement

Enforcement is weak owing to the following reasons: -

- Lack of sufficient equipment including portable weighbridges, vehicles and computers for monitoring axle loads.
- Inadequate sensitization of road users and other stakeholders.
- Inadequate capacity of institutions with responsibility to enforce.
- Absence of training programs for persons involved in the management of weighbridges.
- Lack of standards for the issuance of compliance certificates and calibration procedures for weighbridge scales.

There is need to establish a vehicle overloading management system (VOMS) which is computerized to enable monitoring performance of weighing stations, weighbridge operators, transport operators and the entire system.

2.2. TANZANIA

Legislation

Vehicle overloading control is enforced in terms of the Road Traffic Act, 1973 through the Road Traffic (Maximum Weight of Vehicles) Regulations, 2001. This legislation incorporates some of the provisions of the SADC Model Legislative Provisions on Control of Vehicle Loading.

Vehicle Dimension and Load Limits

The vehicle dimension and load limits for Tanzania are as specified in section 4.2 below.

Weighing Stations

There are ten weighbridge stations in the country with eight under construction. Nine further sites have been identified for weighbridge construction but await funding. Of the existing weighbridges one station at Kibaha is computerized. Fixed stations are calibrated annually while the mobile units are calibrated every six months. The Bureau of Standards in the Ministry of Industry and Trade carries out calibration. Weighing stations and equipment are well maintained and operatives and management are proud of their work.

Weighbridge operators have manuals for guiding them in the execution of their duties which have a schedule of vehicle configurations, the axle load limits for single or multiple axle units in the configuration and the permitted maximum gross vehicle weights.

Enforcement

Enforcement is very strict and effective. The Tanzania National Roads Agency (TANROADS) is the enforcing authority while the Road Safety Unit in the Ministry of Works is responsible for policy and monitoring. There is a public awareness campaign and ongoing consultations with key stakeholders to win support for control of vehicle overloading. TANROADS estimates that the percentage of heavy goods vehicles that were overloaded was 10% as at December 2002.

There is need to establish a vehicle overloading management system (VOMS) which is computerized to enable monitoring performance of weighing stations, weighbridge operators, transport operators and the entire system.

Issues and Perceptions

- Road transport operators believe that mobile weighbridges should be used to monitor performance of fixed weighbridges as well as initially assessing whether a vehicle suspected of overloading should go for enforcement weighing at a fixed weighbridge. On the other hand officials in Tanzania believe that as long as they are used properly, mobile weighbridges are acceptable for enforcement of overload fees.
- Road transport operators believe that single axle weighing scales are not suitable for determining loads on multiple axle units and only multiple axle unit weighing scales should be used for this purpose. Again officials' views are quite the opposite.
- Vehicles overloaded up to 5% of the legal load limit may proceed without offloading the excess load, but must pay a surcharge of four times the normal overload fees. Officials believe that this tolerance for the purpose of proceeding is to take care of instances of improperly loaded or shifted goods en route.
- Interlinks are currently not permitted. However consultations between TANROADS and the Tanzania Truck Owners Association (TATO) have agreed that as long as they comply with the maximum vehicle length, they should be allowed. TANROADS and

TATOAs are to jointly approach the Ministry of Communications and Transport to effect this change.

2.3. ZAMBIA

Legislation

Vehicle overloading control is enforced in terms of the Road Traffic Act, CAP. 464.

The present regulation is old and has been amended several times making it difficult to obtain a high level of understanding of the legal framework. As a result it is not adequately known by the transport industry including some officials with responsibility for enforcement.

A new Road Traffic Act and a new Road Development Act have been published but are not yet effective. They become effective as soon as the Minister issues a commencement order. However revision of the regulations governing the control of vehicle overloading has not yet started.

Vehicle Dimension and Load Limits

The vehicle dimension and load limits for Zambia are as specified in section 4.2.

Weighing Stations

There are eight weighbridge stations at Livingstone, Kafue, Kapiri, Kafulafuta, Mpika, Nakonde, Mwami and Solwezi. The weighbridge at Mpika was out of service for the past three months when the team passed through.

In 1993 the private sector operated weighbridges at Kafulafuta and Kafue with some measure of success. This was terminated but in 1999 the National Roads Board requested the private sector once again. The private sector then operated the same two weighing stations for six months before being requested to stop again. The experience of the trials was that there was a high level of overloading. Issues to note are that if the private sector is to be involved in the operation of weighing stations, the selection must be through transparent processes to avoid mistrust of the system.

Enforcement

There is a high level of overloading on the network and a baseline study to determine extent of overloading is currently under way using mobile weighbridges. Enforcement is weak due to the following:

- Lack of coordination between different institutions and the private sector to ensure effective overload control.
- Old and outdated weighbridge equipment.
- Lack of training for weighbridge operators
- Lack of appropriate management systems for effective control.
- Perceived high levels of corruption.
- Overloading fees are charged at a flat rate of five hundred Zambian Kwacha per kilogramme and this is not punitive enough.
- Some of the weighbridges are not operational for 24 hours due to non-availability of electrical power.

There is need to establish a vehicle overloading management system (VOMS) which is computerized to enable monitoring performance of weighing stations, weighbridge operators, transport operators and the entire system.

3. ADDRESSING THE CURRENT ISSUES: IMMEDIATE MATTERS.

3.1. USE OF MOBILE WEIGHBRIDGES

There is contention as to whether mobile weighbridges should be used for imposition of fines given the high potential for errors. After extensive debate by the Working Group on Transport of the Interim Committee of the Dar es Salaam Corridor (DCC), on 5 June 2003, a task team (see Annexure I for team members) was appointed to resolve this matter among other harmonization issues.

3.2. WEIGHING PROCEDURE FOR MULTIPLE AXLE UNITS

The weighing of individual axles in a multiple axle unit as opposed to weighing the axle unit in one operation is another source of contention between stakeholders. Yet again the Working Group discussed this matter at length. The regulations in Malawi and Tanzania stipulate that each individual axle must comply with the axle load limit, whether or not it is part of a multiple axle unit. The task team in 3.1 above would also determine this matter for adoption by the DCC Interim Committee.

3.3. TOLERANCE

Malawi allows a tolerance of 5% on the axle load limit and 10% on the gross vehicle mass limit before overload fees and surcharges become due. There is no tolerance allowed in Tanzania for purposes of determining the extent of overloading. This effectively means that there is no harmonization on the legal load limits. This disparity was referred to the task team referred to in 3.1 for resolution among other harmonization issues.

3.4. INTERLINKS

The Working Group on Transport noted that TANROADS and TATO A were taking actions to resolve ban of interlinks on the Tanzanian network.

3.5. STAKEHOLDER AWARENESS

Member countries need to have national stakeholder awareness consultations to promote understanding of the overload control regulations and enforcement mechanisms and hence avoid unnecessary cost and inconveniences in the transportation of goods. It is recommended that the HUB facilitates this process through the implementation of agreed positions with regard to issues 3.1 to 3.4 above.

4. ADDRESSING CURRENT ISSUES: LEGISLATION.

4.1 MEMORANDUM OF UNDERSTANDING

Malawi and Tanzania have adopted and implemented some elements of the SADC Model Legislative Provisions in their Road Traffic (Construction, Equipment and Use) Regulations, 2000 and Road Traffic (Maximum Weight of Vehicles) Regulations, 2001 respectively. Zambia is yet to review its vehicle overload control regulations but this is part of a comprehensive plan

to revamp the control of vehicle overloading in the country. To ensure an effective system for vehicle overload control in the corridor it is important that member countries commit themselves to a harmonized system as provided for in SADC model legislative provisions. A possible mechanism to do this is through a Memorandum of Understanding (MoU). A draft adapted from the SADC MLPs is attached at ANNEXURE II.

Member states would then be expected to review their current regulations with respect to vehicle loading control to ensure they are in line with the agreed and reflect the general principles of the MoU.

4.2 HARMONISATION

The immediate matters discussed in section 3 above are issues of an urgent nature that are a manifestation of the lack of strong harmonization in the design, management and operation of vehicle overloading control systems in the corridor. At its meeting on 5 June 2003 the Working Group on Transport of the Interim Committee of the DCC agreed that the task team in ANNEXURE I review and agree on harmonization issues which are detailed as follows: -

Vehicle Dimensions (m)

Country	MALAWI	TANZANIA	ZAMBIA
Length			
Rigid Vehicle	12.5	12.5	12.5
Articulated Vehicle	17	17	17
Combination Vehicle	22	22	22
Width	2.6	2.6	2.65
Height	4.6	4.6	4.6

There is a high degree of harmonization, on the basis of SADC agreement, except for vehicle width where Zambia has a wider specification by 5mm.

Vehicle Axle Load Limits & Gross Vehicle Mass

See Annexure III for the harmonized limits.

Principles & Cost Elements for Overloading Fees

Overload fees, abnormal and awkward load fees will be determined taking into account costs related to:

- road use calculated on averaged weight-distance basis;
- enforcement activities;
- congestion factors;
- capital investment; and
- any other expenditure borne by the road authority relating to implementation of Vehicle Load Control Regulations.

Annexure IV shows a comparison of the overload fee structure in each country. The overload fees for GVMs are identical for Malawi and Tanzania, the only difference being in the

graduated increase of the overload. Malawi uses different fees per axle for a single axle with two wheels, for a single axle with four wheels and for a multiple axle combination with four wheels. On the other hand Tanzania uses fees for a single axle or group of axles. The fees in Malawi and Tanzania are adopted from the SADC recommended charges. Zambia imposes a single rate of Zambia Kwacha 500 per kg of overload.

Enforcement Principles

The range of enforcement elements includes:

- overload fees with prohibition from proceeding unless overload is offloaded or redistributed to comply;
- overload within a specific margin can proceed with a surcharge of four times the normal overload fee;
- abnormal and awkward load permit fees with liability for costs of escort services and overload fees, and costs of incidental damage to bridges, infrastructure and road furniture;
- over-dimension fees with costs of escort services;

Points-Demerit System

A points-demerit system providing for:

- overloading categorized according to the degree of severity;
- a threshold or thresholds of overloading which, if exceeded, results in one or more administrative sanctions being imposed; and
- a reduction of demerit points where acts of non-compliance are not recorded within specified time periods.

Administrative Sanctions

In addition to recovering any monies due as overloading fees, one or more of the following sanctions may be imposed:

- a temporary ban on the use of a specified road or route or generally;
- the imposition of a higher scale of overloading fees in respect of any future carriage of loads in excess of the legal load limit for a specified period or indeterminately; or
- the withdrawal of an operating licence.

The imposition of the higher overloading fees may be linked to the points-demerit system.

It is important to note that the task team focuses on those issues that can be implemented immediately while maintaining a focus on the vision of all the elements of a fully harmonized model as adopted by SADC.

5. WEIGHING STATIONS: PRIVATE SECTOR PARTICIPATION

This section details the way the SADC MLP envisages private sector participation through outsourcing and voluntary compliance by shippers.

Where this is deemed necessary, the national road authority may prepare an outsourcing strategy comprising: -

- (a) -a weighing station strategic plan, consisting of: -
 - (i) -the identification of existing and future weighing station sites along the major transport corridors and commercial vehicle routes;
 - (ii) -a procurement schedule incorporating: -

- (aa) rehabilitation and upgrading of existing weighing stations;
- (bb) construction and operation of new weighing stations;
- (cc) outsourcing of operations; and
- (dd) times scales for the actions contemplated in sub-paragraphs (i), (ii) and (iii) of this paragraph; and
- (iii) -an identification of options for private investment.
- (b) -an outsourcing plan, providing for: -
 - (i) -an assessment of road authority functions which may be outsourced, including but not limited to state-of-the-art technology applicable to: -
 - (aa) weight measurement;
 - (bb) data collection, processing and exchange;
 - (cc) compliance records and points demerit systems; and
 - (dd) performance auditing;
 - (ii) -a procurement schedule identifying time scales and priorities for outsourcing; and
 - (iii) -an identification of outsourcing options.

Shippers may be supported and given capacity to operate weighing stations to ensure that cargo leaving their premises complies with the corridor limits. Alternatively weighing stations maybe installed at a common user facilities were various shippers could take advantage of sharing resources. This approach would be well suited for locations such as the port and inland depots.

6. THE CASE FOR ZAMBIA.

Zambia in collaboration with NORAD conducted a review of its overload control system. This culminated in a program geared towards establishing an effective control system to be funded by NORAD. In order to activate funding, a baseline study to assess the current extent of overloading is being concluded. The program will include the following key activities: -

- Information and awareness campaigns to prepare stakeholders for the change in current practices.
- Improving organization and procedures through strengthening the organization, enforcing current procedures and training.
- Legislative initiative to reform the current legislation. There is a need to ensure harmonization with the SADC approach in this process.
- Changing the present procedures in line with the legal changes and training for the new procedures.
- Determining new weighbridge sites and installing new fixed and portable weighbridges. Harmonization with agreed corridor network of weighbridges would be important.
- Institute anti-corruption measures such as use of mobile weighbridges to monitor performance of fixed installations, quality management systems, linkages with the Anti Corruption Commission and relevant stakeholders and publication of habitual offenders.

It is of paramount importance that while Zambia implements its programme to revamp vehicle overload control it maintains effective handshake with the approach in the corridor towards harmonization as described in section 3, 4 and 5 above.

6. WAY FORWARD.

6.1. THE TASK TEAM

The team needs to be activated as a matter of urgency to carry out the tasks in sections 3.1 to 3.5 as a first priority while focusing on the harmonization issues in sections 4 and 5 as a parallel activity. Urgent issues for harmonization to be dealt with by the team are summarized in Annexure V.

6.2. THE HUB

The Hub needs to provide catalytic leadership through the Interim Secretariat of the DCC so that the task team remains task oriented and avoid the common pitfalls of relapsing into a permanent meeting forum.

The Hub should also establish a permanent handshake with the NORAD funded Zambia overload control programme through the Interim Secretariat to ensure corridor harmonization is maintained.

ANNEXURE I
TASK TEAM MEMBERS

MALAWI

Brian Manda (Public Sector)

Shadreck Matsimbe (Private Sector)

TANZANIA

Chacha Mwita (Public Sector)

Al-Karim Dawood (Private Sector)

ZAMBIA

Nelson Balishi (Public Sector)

Roland Norton (Private Sector)

DAR ES SALAAM CORRIDOR MEMORANDUM OF UNDERSTANDING ON VEHICLE LOADING

The Governments of:-

The Republic of Malawi

The United Republic of Tanzania

The Republic of Zambia

ENJOINED as the member states of the Dar es Salaam Corridor;

PURSUANT to the preamble of the SADC Protocol on Transport, Communications and Meteorology which confirms that the regional road network represents the collective patrimony of the region and comprises assets of significant strategic value essential for regional socio economic growth;

PURSUANT to Articles 4.1 and 4.5 of the SADC Protocol on Transport, Communications and Meteorology which collectively recognize vehicle loading as an integral component of the overall commercialization of roads;

PURSUANT to Article 6.6 and 6.7 of the SADC Protocol on Transport Communications and Meteorology which commit Member States to -

- (a.) coordinated programming of overloading control activities;
- (b.) cooperation with regard to the sharing of weighing station facilities and equipment in the region;
- (c.) coordinated approaches in respect of maintenance and calibration, practices, procedures and management of information;
- (d.) harmonized penalties or administrative fees for vehicle overloading;
- (e.) effective enforcement procedures;
- (f.) common training standards and joint training;
- (g.) promotion of voluntary compliance;
- (h.) administrative control measures in respect of habitual contraveners; and
- (i.) public awareness campaigns.

HEREBY ADOPT THIS MEMORANDUM OF UNDERSTANDING ON VEHICLE LOADING

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Article 1

Definitions

“**Accreditation**” means the certification of weighing stations by an appropriate authority as complying with the prescribed accreditation standards;

“**Agency**” means a contract whereby -

(a.) any Government body of the host state provides vehicle loading control services on behalf of another state; or

(b.) a private entity provides vehicle loading control services on behalf of the host state and another state;

“**Authorised officer**” means any person authorised to provide vehicle loading control services;

“**Common control area**” means the restricted area in which only public functionaries or duly appointed agents of member states which have concluded appropriate border -post agreements may execute border post-related functions;

“**Host state**” means the state in which an accredited weighing station is located which is jointly used by such state and a tenant state;

“**Joint use**” means a contractual arrangement whereby -

(a.) the host state provides right of usage and occupancy to the tenant state in terms of a lease agreement; or

(b.) the host state provides right of usage and occupancy to the tenant state and the tenant state contributes financially to construction or rehabilitation of the facility;

“**Legal load limit**” means the mass that may be borne by a single axle, an axle group or all the axles of the vehicle in terms of the national legislation of a member state;

“**Overload**” means a load which exceeds the legal load limit;

“**Overload penalty**” means an amount in money exponentially linked to the level of overloading payable as a punitive charge by the owner or operator of a vehicle loaded above the legal load limit;

“**Road authorities**” means the Ministry / Department or Agency responsible for the national / state / primary roads of the member state;

“**Tenant state**” means the state which occupies and uses an accredited weighing station located in the territory of another state, namely the host state.

Article 2

Policy reform

1. Member states agree to decriminalize the carriage of loads in excess of legal load limits and to introduce a system of administrative control of vehicle loading.
2. Member states agree to combat non-compliance with legal load limits by imposing harsh financial sanctions, mobility restrictions, administrative sanctions and points-demerit systems in response to such non-compliance.
3. Member states agree to vest primary responsibility for the management of vehicle loading in appropriate road authorities and to ensure that such road authorities are vested with adequate powers to undertake vehicle loading management comprehensively and effectively.
4. Member states agree to recover overloading fees which are exponentially punitive in respect to the levels of overloading and cover damage to road, enforcement and administration costs and to dedicate income obtained from overloading fees to road maintenance and rehabilitation.
5. Member states agree to encourage voluntary compliance with legal load limits and, to this end, agree to facilitate corridor partnerships between the public and private sector.
6. Member states agree to take all necessary steps to implement appropriate control measures to combat corrupt practices in the management of vehicle loading.
7. Member states agree to encourage broad-based private sector investment in the provision and operation of weighing stations: Provided that private investment may not be undertaken by road transport operators in an individual capacity.
8. Member states agree to monitor the adequacy of overloading control and the corridor network of weighing stations.

Article 3

Harmonization

1. Member states agree to the harmonized legal load limits contained in Schedule A.
2. Member states agree that no future revisions of legal load limits will be undertaken without comprehensive stakeholder consultation.
3. Member states agree to harmonize the principles and cost elements to be used for determining the calculation of overloading fees.
4. Member states agree to harmonize financial sanctions, mobility restrictions, administrative sanctions, offences and points demerit systems related to non-compliance.

Article 4

Complementary systems

1. Member states agree to develop complementary levels and categories of overloading fees differentiating between different classes of vehicle or vehicle types, roads and routes, hours, date of the week or month during which carriage takes place and between escorting and any matter ancillary to the carriage of overloads.
2. Member states agree to develop complementary administrative and enforcement procedures as well as information management systems.

Article 5

Corridor network of weighing stations

1. Member states agree to ensure the effectiveness of overloading control on a corridor through the development of a corridor network of weighing stations which is effective and sustainable in respect of both domestic and international road traffic.
2. Member states agree that the weighing stations forming part of the corridor network must be strategically and equitably located on -
 - (a) The Regional Trunk Road Network; and
 - (b) Arterial roads not forming part of the Regional Trunk Road Network to which the legal load limits in Schedule A apply.
3. Member states agree that, in locating new weighing stations at border posts, preference shall be given to the establishment of weighing stations in common control areas at border posts.
4. Member states confirm that the corridor network of weighing stations is as reflected in Schedule B.
5. Member states agree to monitor, on an ongoing basis, the effective operation of corridor network weighing stations and related equipment and, where this is found to be inadequate, member states agree to maximize national and corridor financial and human resources, by:-
 - (a.) promoting joint use of weighing stations and related facilities;
 - (b.) promoting joint management of weighing stations and related facilities;
 - (c.) exploring options for joint funding of infrastructure and equipment upgrading; and
 - (d.) jointly procuring private investment and technology transfers for upgrading of existing facilities and establishment of new facilities.

Article 6

Harmonized contractual arrangements between Member States

1. Member States shall ensure the continuity and security of joint investment, use and management of weighing stations through the conclusion of appropriate contracts and, to this end, Member States agree to adopt harmonized contractual arrangements reflected in this article.
2. Member States agree that a tenant state, jointly using a weighing station in the territory of a host state, must be treated equally in so far as rights of usage are concerned: Provided that Member States agree that the host state will retain sole ownership of the land on which a weighing station is located.

3. Member States agree that, where further investment in infrastructure is required to meet operational demands of a tenant state, the joint use contract must link financial contributions to the period of usage and provide that upon termination of the contract prior to such period, the tenant state will be reimbursed for any outstanding amount of capital calculated over the balance of the period during which the tenant state will not use the facility.
4. Member States agree that, where infrastructure, intended for joint use, is provided in terms of a BOT arrangement, such arrangement must provide for equitable transfers of technology and appropriate reimbursement to the tenant state to cover its share in the infrastructure which is transferred back to the host state upon termination of the BOT arrangement.
5. Member States agree that, where further infrastructure investment is required, such investment must be procured in accordance with the model legislative provisions on investment in transport:-
 - (a) by the host state in consultation with the tenant state where the tenant state has not made any financial contribution to infrastructure development; and
 - (b) by the host and tenant states jointly where the tenant state contributes financially to infrastructure development.
6. Member States agree that income generated from the control of overloading at a shared facility shall be fairly apportioned between participating Member States on the basis of the cost each State incurs in executing overloading control at such facility and, to this end, agree to adopt appropriate clearance arrangements.
7. Member States agree that an agency contract must enforce application of common vehicle loading systems and procedures.
8. Member States agree to endeavour to provide services 24 hours a day, 7 days a week unless an appropriate audit indicates that the traffic intensity at a particular weighing station dictates shorter working hours: Provided that a weighing station shall provide services for at least 12 hours per day of every week day.

Note:

Supplementary contracts that could be concluded to those envisaged in this Article are -

- (a) a basic lease contract such as one concluded between a property owner and a tenant; and*
- (b) an agency contract as provided in the model contract on facilitation and operation of weighing stations.*

The provisions of these contracts would have to be supplemented by the contractual principles contained in this Article.

Article 7

Corridor performance audits

1. Member states agree to conduct regular corridor performance audits on the effectiveness of the corridor network of weighing stations.

2. To this end, member states undertake to develop corridor performance targets and set expected corridor performance levels.

Article 8

Accreditation and calibration

1. Member states agree that weighing by any weighing station will only be valid if a weighing station has been accredited and, to this end, member states undertake to develop harmonized accreditation standards and procedures.
2. Member states undertake to set corridor performance standards for the maintenance and calibration of weighing stations and to ensure that equipment at weighing stations is maintained on an ongoing basis.
3. Member states shall ensure that scales are calibrated at regular intervals by qualified persons and, to this end, member states shall consider identifying a corridor calibration inspectorate to support reciprocal recognition of weighing practices.
4. Member states undertake to develop and maintain a corridor database listing -
 - (a.) accredited weighing stations; and
 - (b.) habitual offenders and operators on whom mobility restrictions have been imposed.

Article 9

Reciprocal recognition

1. Member states undertake to recognize each others weighing certificates and related documentation issued by an accredited weighing station provided that this takes place on a reciprocal basis and subject to the freedom of a member state to withhold recognition where similar standards are not maintained.
2. Member states agree that, notwithstanding the provisions of paragraphs 1 and 2, the operator of one member state will still be bound by the legal load limits of another state and the competent inspection authorities of that other state shall still be entitled to inspect and weigh the load of such operator at any time.
3. Where a member state reasonably suspects that an accredited weighing station in another member state is not complying with required standards, such member state must alert the corridor Chairperson and Secretariat of its suspicion and of any intention -to withhold recognition of weighing certificates issued by such weighing station.

Article 10

Voluntary compliance

Member states agree to adopt appropriate arrangements to support incremental voluntary compliance which may include introduction of co-operative training programmes and additional incentives to reward increased voluntary compliance.

Article 11

Training

1. Member states, in support of voluntary compliance and the promotion of a common understanding of the vehicle loading system and its enforcement in the corridor through the ongoing exchange of information must endeavour to promote, through appropriate training, a high standard of professionalism amongst authorized officers, operators, drivers, consignors and consignees.
2. To this end, member states agree to:-
 - (a.) encourage programmes aimed at promoting a common understanding of:-
 - (i) The regulation and enforcement of vehicle loading;
 - (ii) The manner in which any goods may be loaded and carried on a vehicle, including driving practices; and
 - (iii) Weighing practices and procedures;
 - (b.) share existing training facilities;
 - (c.) harmonize training programmes bearing in mind the need to ensure adequate levels of expertise and professionalism;
 - (d.) coordinate human resource development policies and programmes by developing a corridor plan for the transfer of knowledge, skills and technology;
 - (e.) provide for the mutual recognition of qualifications; and
 - (f.) encourage practical on-the-job joint training.

Article 12

Combating corruption

1. Member states agree to take all necessary steps to minimize corruption relating to vehicle loading which may include reforming current management approaches and practices and adopting measures to suspend or request suspension of any authorized officer suspected of corruptive practices and to terminate or request termination of employment of any authorized officer in accordance with any national law.
2. Member states shall cooperate in monitoring the incidences and levels of corruption at the national and corridor level.

Article 13

Exchange of information and public awareness

1. Member states agree to promote a common understanding of the vehicle loading system and its enforcement in the corridor and the region through the ongoing exchange of information and the conducting of public awareness campaigns to develop an appreciation of the impact which vehicle overloading has on the preservation of road infrastructure.

Article 14

National consultative and coordinating structures

1. Member states undertake to establish national consultative and coordinating structures adequately representative of the roads and road traffic sub-sectors.

2. Member states undertake to ensure that national consultation and coordinating networks and structures interact and liaise effectively.

Article 15

Corridor implementation target dates

1. Member states agree that with the exception of the matters listed under paragraph 2, all provisions relating to implementation enter into force upon signature of this Memorandum of Understanding.

2. Member states agree to the following corridor implementation target dates:

- (a.) (date...) in respect of harmonized legal load limits, financial sanctions, mobility restrictions, offences, complementary categories and levels of overloading fees and complementary administrative and enforcement procedures;
- (b.) (date...) in respect of corridor performance standards for maintenance and calibration of weighing stations and identification of a corridor calibration inspectorate;
- (c.) (date...) in respect of development of a corridor database listing accredited weighing stations, habitual offenders and operators upon whom mobility restrictions have been imposed;
- (d.) (date...) in respect of harmonized training programmes for authorised officers;
- (e.) (date...) in respect of harmonized points demerit systems; and

Article 16

Consultation

1. Member states agree that they shall not deviate from policy and legal reform or revise or amend harmonized standards and complementary systems without prior consultation on a corridor basis.

2. To this end, member states undertake to give notice to the corridor Chairperson and Secretariat of their intention to embark on any policy and legal reform or any revision or amendment to harmonized standards and complementary systems.

Article 17

Signature, ratification and accession

					ANNEXURE III					
	Steering Axle Two Tyres	Single Axle Two Tyres	Single Axle Dual Tyres	Tandem Axle Four Tyres	Tandem Axle Six Tyres	Tandem Axle Dual Tyres	Tridem Axle Six Tyres	Tridem Axle Ten Tyres	Tridem Axle Twelve Tyres	Combination
Malawi	8	8	10	16		18	24		24	56
Tanzania *	7	8	10	12	15	18	15		24	56
Zambia	8	^4	10	^8		16	12		24	56
SADC	8	8	10	16		18	24		24	56
COMESA	8	8	8	16		16	24		24	53
* Does not permit interlinks										
^Permits more for Super Single Tyres										

Tolerance:

Malawi: 5% / axle; 10% / gvm-gcm

Tanzania: Nil

Zambia: 10%

ANNEXURE IV :OVERLOAD FEE STRUCTURE.

MALAWI				TANZANIA		
KGs	OVERLOAD FEE PER AXLE (US\$)					
OVER- LOAD PER AXLE	1 AXLE 2 WHEELS	1 AXLE 4 WHEELS	MULTI- AXLE 4 WHEELS	GVM	SINGLE OR MULTI AXLE(S)	GVM
100	10	8	12	4	8	
200	20	16	25	9	16	
300	31	25	38	13	25	
400	42	34	52	18	34	
500	53	43	66	22	43	22
1000	117	92	146	45	92	45
1500	192	149	246	70	149	70
2000	280	214	370	95	214	95
10000	4785	2986	35000	779	2986	779
30000				27264		
31500						35000

ANNEXURE V

VEHICLE OVERLOAD CONTROL TASK TEAM

ISSUES TO BE HARMONISED

1. URGENT ISSUES

1.1. USE OF MOBILE WEIGHBRIDGES

There is contention as to whether mobile weighbridges should be used for imposition of fines given the high potential for errors. After extensive debate by the Working Group on Transport of the Interim Committee of the Dar es Salaam Corridor (DCC), on 5 June 2003, a task team (see Annexure I for team members) was appointed to resolve this matter among other harmonization issues.

1.2. WEIGHING PROCEDURE FOR MULTIPLE AXLE UNITS

The weighing of individual axles in a multiple axle unit as opposed to weighing the axle unit in one operation is another source of contention between stakeholders. Yet again this matter was discussed at length by the Working Group. The regulations in Malawi and Tanzania stipulate that each individual axle must comply with the axle load limit, whether or not it is part of a multiple axle unit. The task team in 3.1 above would also determine this matter for adoption by the DCC Interim Committee.

1.3. TOLERANCE

Malawi allows a tolerance of 5% on the axle load limit and 10% on the gross vehicle mass limit before overload fees and surcharges become due. There is no tolerance allowed in Tanzania for purposes of determining the extent of overloading. This effectively means that there is no harmonization on the legal load limits. This disparity was referred to the task team referred to in 3.1 for resolution among other harmonization issues.

1.4. INTERLINKS

The Working Group on Transport noted that TANROADS and TATO A were taking actions to resolve ban of interlinks on the Tanzanian network.

2. HARMONISATION

The immediate matters discussed in section 3 above are issues of an urgent nature that are a manifestation of the lack of strong harmonization in the design, management and operation of vehicle overloading control systems in the corridor. At its meeting on 5 June 2003 the Working Group on Transport of the Interim Committee of the DCC agreed that the task team in ANNEXURE I review and agree on harmonization issues which are detailed as follows:-

Vehicle Dimensions (m)

Country	MALAWI	TANZANIA	ZAMBIA
Length			
Rigid Vehicle	12.5	12.5	12.5
Articulated Vehicle	17	17	17

Combination Vehicle	22	22	22
Width	2.6	2.6	2.65
Height	4.6	4.6	4.6

There is a high degree of harmonization except for vehicle width where Zambia has a wider specification by 5mm.

Vehicle Axle Load Limits & Gross Vehicle Mass

See Annexure III for the harmonized limits.

Principles & Cost Elements for Overloading Fees

Overload fees, abnormal and awkward load fees will be determined taking into account costs related to:-

- road use calculated on averaged weight-distance basis;
- enforcement activities;
- congestion factors;
- capital investment; and
- any other expenditure borne by the road authority relating to implementation of Vehicle Load Control Regulations.

Annexure IV shows a comparison of the overload fee structure in each country. The overload fees for GVMs are identical for Malawi and Tanzania, the only difference being in the graduated increase of the overload. Malawi uses different fees per axle for a single axle with two wheels, for a single axle with four wheels and for a multiple axle combination with four wheels. On the other hand Tanzania uses fees for a single axle or group of axles. The fees in Malawi and Tanzania are adopted from the SADC recommended charges. Zambia imposes a single rate of Zambia Kwacha 500 per kg of overload.

Enforcement Principles

The range of enforcement elements includes:-

- overload fees with prohibition from proceeding unless overload is offloaded or redistributed to comply;
- overload within a specific margin can proceed with a surcharge of four times the normal overload fee;
- abnormal and awkward load permit fees with liability for costs of escort services and overload fees, and costs of incidental damage to bridges, infrastructure and road furniture;
- over-dimension fees with costs of escort services;

Points-Demerit System

A points-demerit system providing for:-

- (i) overloading categorized according to the degree of severity;
- (ii) a threshold or thresholds of overloading which, if exceeded, results in one or more administrative sanctions being imposed; and
- (iii) a reduction of demerit points where acts of non-compliance are not recorded within specified time periods.

Administrative Sanctions

In addition to recovering any monies due as overloading fees, one or more of the following sanctions may be imposed:-

- (i) a temporary ban on the use of a specified road or route or generally;
- (ii) the imposition of a higher scale of overloading fees in respect of any future carriage of loads in excess of the legal load limit for a specified period or indeterminately; or
- (iii) the withdrawal of an operating licence.

The imposition of the higher overloading fees may be linked to the points-demerit system.

It is important to note that the task team needs to focus on those issues that can be implemented immediately while maintaining a focus on the vision of all the elements of a fully harmonized model as adopted by SADC.